



Docket No. 49658-0025

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

MARTIN LIVESY

Serial No.: 09/183,621

Filed: October 30, 1998

For: APERIODIC TILING OF TEXTURED IMAGES

PETITION, DRAWINGS AND FEE TO INCLUDE COLOR DRAWINGS  
UNDER 37 CFR 1.84(a)(2)

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Examiner: Chante' Harrison  
Group Art Unit: 2779

Box DAC  
Commissioner of Patents  
Washington, D.C. 20231

Sir:

The Applicant hereby respectfully petitions for inclusion of color drawings in the application referenced above pursuant to 37 CFR 1.84(a)(2).

There are three drawings in the above referenced application that must be shown in color, specifically Figures 1, 2B, and 5. These drawings illustrate, respectively, a tile depicting a grass texture, a target area that is tiled with the grass texture tile in a periodic tiling pattern, and a target area that is tiled with the grass textured tile in an aperiodic tiling pattern.

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130.00 OP

PATENT #

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CP 2779

Color images for these three drawings are the only practical medium to disclose the subject matter sought to be patented. Specifically, the linear repetitions evident in Figure 2B, and the lack of such linear repetitions in Figure 5, are not observable in mere black and white drawings due to the subtle differences in shading. The Office is referred to the enclosed black and white versions of Figures 1, 2B, and 5.

Being able to observe these linear repetitions is important to understanding the application because one of the improvements resulting from the subject matter being claimed is the elimination of such linear repetitions. For example, when a tile, such as that shown in Figure 1, is repeated in a periodic tiling pattern, such as in Figure 2B, one can readily discern the periodic pattern of light and dark shading when the single tile of Figure 1 is replicated to cover the target area. However, one of the advantageous results of applying the claimed subject matter is the elimination of those linear repetitions, as shown in Figure 5.

Pursuant to 37 CFR 1.84(a)(2)(i), included with this petition is a check for the filing fee of \$130.00 for this petition as specified in 37 CFR 1.17(i).

Pursuant to 37 CFR 1.84(a)(2)(ii), included with this petition are three (3) sets of each color drawing to be included in the application referenced above.

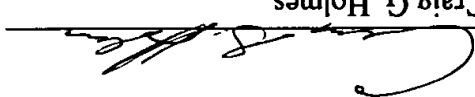
Pursuant to 37 CFR 1.84(a)(2)(iii), the specification in the above referenced application has been amended in the Response of September 21, 2000 to the Office Action mailed June 21, 2000.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortages in fees due in connection with the filing of this paper, including extension of time fees, or credit any overages to Deposit Account

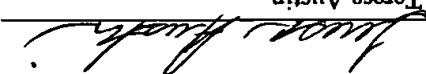
No. 50-1302.

Based on the foregoing, it respectfully submitted that applicant has shown good and sufficient reasons why it is necessary to include color drawings in the application referenced above as requested.

Respectfully submitted,  
HICKMAN PALERMO TRUONG & BECKER  
LLP

  
Craig G. Holmes  
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CERTIFICATE OF MAILING  
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box DAC, Commissioner for Patents, Washington, DC 20231  
By:   
Teresa Austin  
on October 18, 2000



# FREE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision, otherwise large entity fees must be paid. See Forms PTO/SB/09-12 See 37 C.F.R. §§ 1.27 AND 1.28

TOTAL AMOUNT OF PAYMENT (\$): 130.00

Application Number		09/183,621
Filing Date		October 30, 1998
First Named Inventor	Martin Livesey	
Examiner Name	Chante' Harrison	
Group/Art Unit	2779	
Attorney Docket No.	49658-0025	

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## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 50-1302

Deposit Account Name: Hickman Palumbo Truong & Becker, LLP

2. ☒ Payment Enclosed: ☒ Change Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

3. ☐ Check ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Code (\$)	Fee (\$)	Small Entity	Fee Description
101	710	355	Utility filing fee
106	320	160	Design filing fee
107	490	245	Plant filing fee
108	710	355	Reissue filing fee
114	150	75	Provisional filing fee

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee Paid
100	0	0.00
101-150	1	18.00
151-200	2	36.00
201-300	3	54.00
301-400	4	72.00
401-500	5	90.00
501-600	6	108.00
601-700	7	126.00
701-800	8	144.00
801-900	9	162.00
901-1000	10	180.00

3. ADDITIONAL FEES

Code (\$)	Fee (\$)	Small Entity	Fee Description
65	205	105	Surcharge - late filing fee or oath cover sheet
127	50	27	Surcharge - late provisional filing fee or cover sheet
139	130	139	Non-English specification
147	2,520	147	For filing a request for reexamination
112	920	112	Requesting publication of SIR prior to Examiner action
113	1,840	113	Requesting publication of SIR after Examiner action
115	110	215	Extension for reply within first month
116	390	216	Extension for reply within second month
117	890	217	Extension for reply within third month
118	1,390	218	Extension for reply within fourth month
128	1,890	228	Extension for reply within fifth month
129	310	219	Notice of Appeal
130	310	220	Filing a brief in support of an appeal
131	270	221	Request for oral hearing
132	1,510	138	Petition to institute a public use proceeding
140	110	240	Petition to revive - unavoidable
141	1,210	241	Petition to revive - unintentional
142	1,210	242	Utility issue fee (or reissue)
143	430	243	Design issue fee
144	580	244	Plant issue fee
145	130	222	Petitions to the Commissioner
146	50	123	Petitions related to provisional applications
147	240	126	Submission of information Disclosure Stmt
148	40	581	Recording each patent assignment per property (times number of properties)
149	246	345	Filing a submission after final rejection (37 CFR § 1.129(a))
150	249	345	For each additional invention to be examined (37 CFR § 1.129(b))

### SUBTOTAL (2) (\$)

Name (Print/Type)	Craig G. Holmes
Signature	[Signature]
Registration No.	44,770
Telephone	(408) 414-1080
Date	October 16, 2000

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101	710	355	Utility filing fee
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107	490	245	Plant filing fee
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## FEE CALCULATION (continued)

Reduced by Basic Filing Fee Paid: 130.00

SUBTOTAL (3) (\$): 130.00

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